

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
1685 E Street, Fresno, California 93706

**PUBLIC HEARING**  
concerning

**CEASE AND DESIST ORDER  
AND  
WASTE DISCHARGE REQUIREMENTS  
FOR  
CITY OF MCFARLAND  
WASTEWATER TREATMENT FACILITY  
KERN COUNTY**

The City of McFarland (City) owns and operates a wastewater treatment facility (WWTF). Effluent is discharged to evaporation/percolation ponds and to adjacent farmlands for recycling. The City is requesting an increase in the average daily flow rate from 1.1 million gallons per day (mgd) to 1.55 mgd and submitted a Report of Waste Discharge in June 2004 to support the increase in flow. A supporting geotechnical investigation report was submitted in May 2005 for the planned expansion of the existing storage ponds.

The City is currently in violation of Waste Discharge Requirements (WDRs) Order No. 89-154 for irrigating crops other than fodder, fiber, or seed crops. The Regional Water Board will consider updating the City's WDRs to prescribe requirements reflective of the City's plans to improve and expand the WWTF. However, the City will continue to be in violation of the new WDRs until the irrigation of crops other than fodder, fiber, or seed crops is ceased. Accordingly, the Regional Water Board will also consider adopting a cease and desist order (CDO) pursuant to Section 13301 of the California Water Code that imposes a time schedule.

A public hearing concerning this matter will be held during the Regional Water Board meeting, which is scheduled for:

DATE: 24 or 25 April 2008  
TIME: 8:30 a.m.  
PLACE: Regional Water Quality Control Board  
11020 Sun Center Drive  
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Water Board
- City of McFarland

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons

may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Water Board no later than **29 March 2008**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The tentative WDR and CDO were issued for comment on 29 February 2008. Persons wishing to comment on this matter must submit their testimony, evidence, and/or comments in writing to the Regional Water Board no later than **5 p.m. on 29 March 2008**. Written materials received after **5 p.m. on 29 March 2008** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

Anyone having questions on the tentative waste discharge requirements or cease and desist order should contact Mr. Jeff Pyle at (559) 445-5145. Interested parties may download the proposed Orders and related documents from the Regional Water Board's internet website at <http://www.waterboards.ca.gov/rwqcb5/tentative>. Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 1685 "E" Street, Fresno, California, 93706, weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing [http://www.waterboards.ca.gov/water\\_laws/index.html](http://www.waterboards.ca.gov/water_laws/index.html). Information on meeting and hearing procedures is also available on the Regional Water Board's website at [http://www.waterboards.ca.gov/rwqcb5/board\\_meetings/mtgprocd.html](http://www.waterboards.ca.gov/rwqcb5/board_meetings/mtgprocd.html) or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

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LOREN J. HARLOW, Assistant Executive Officer